

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

STENIO DESOUZA and RAQUEL	)	
DESOUZA,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civ. No. 05-787-SLR
	)	
PETTINARO CONSTRUCTION	)	
CO. INC. ET AL,	)	
	)	
Defendants.	)	

**ORDER**

At Wilmington this 9<sup>th</sup> day of May 2008, the parties having satisfied their obligations under Fed. R. Civ. P. 26(f), and the court having conducted a pretrial scheduling conference pursuant to Fed. R. Civ. P. 16 and D. Del. LR 16.2(a) and (b).

IT IS ORDERED that:

**1. Discovery.**

(a) All discovery shall be commenced in time to be completed by September 30, 2008.

(b) Reports from retained experts under Rule 26(a)(2) on issues for which any party has the burden of proof due by October 31, 2008. Rebuttal expert reports due by December 1, 2008.

(c) **Discovery Disputes.** Any discovery dispute shall be submitted to the court pursuant to Fed. R. Civ. P. 37. During the course of discovery, each party is limited to **two (2)** Rule 37 motions. The court shall make itself available, however, to

resolve through a telephone conference, disputes that arise during the course of a deposition and disputes related to entry of a protective order.

2. **Settlement Conference.** Pursuant to 28 U.S.C. § 636, this matter is referred to a Magistrate Judge for the purposes of exploring ADR.

3. **Summary Judgment Motions.** All summary judgment motions shall be served and filed with an opening brief on or before January 5, 2009. Briefing shall be pursuant to D. Del. LR 7.1.2. No summary judgment motion may be filed more than **ten (10)** days from the above date without leave of the court.

4. **Applications by Motion.** Any application to the court shall be by written motion filed with the clerk. Unless otherwise requested by the court, counsel shall not deliver copies of papers or correspondence to chambers. **Any non-dispositive motion shall contain the statement required by D. Del. LR 7.1.1.**

  
United States District Judge